

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
(REV. 07-2004)TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

OIP.026 **10/507108**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

NEW

INTERNATIONAL APPLICATION NO.  
PCT/JP03/05973INTERNATIONAL FILING DATE  
MAY 14, 2003PRIORITY DATE CLAIMED  
MAY 15, 2002

TITLE OF INVENTION

OPTICAL TRANSMISSION MEDIUM

APPLICANT(S) FOR DO/EO/US

Youichi SAKAKIBARA Yohji ACHIBA Mark Kenneth JABLONSKI  
Madoka TOKUMOTO Hiromichi KATAURA Yuichi TANAKA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

## Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No.
23. ☒ Other items or information:

CHANGE OF CORRESPONDENCE ADDRESS

|   |  |   |  |                                     |  |
|---|--|---|--|-------------------------------------|--|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br><div style="font-size: 2em; font-weight: bold; margin-top: 5px;">10/507108</div> |  | INTERNATIONAL APPLICATION NO.<br>PCT/JP03/05973 |  | ATTORNEY'S DOCKET NUMBER<br>OIP.026 |  |
|---|--|---|--|-------------------------------------|--|

  

24. The following fees are submitted:.

**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :**

|  |           |
|--|-----------|
| <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... | \$1080.00 |
| <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....  | \$920.00  |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....  | \$770.00  |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....   | \$730.00  |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....   | \$100.00  |

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

| CLAIMS   | NUMBER FILED | NUMBER EXTRA | RATE      |                                     |                           |
|--|--------------|--------------|-----------|-------------------------------------|---------------------------|
| Total claims   | 15 - 20 =    | 0            | x \$18.00 |                                     | \$0.00                    |
| Independent claims   | 1 - 3 =      | 0            | x \$86.00 |                                     | \$0.00                    |
| Multiple Dependent Claims (check if applicable). <input type="checkbox"/>  |              |              |           |                                     | \$0.00                    |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |              |              |           |                                     | <b>\$920.00</b>           |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.   |              |              |           |                                     | \$0.00                    |
| <b>SUBTOTAL =</b>  |              |              |           |                                     | <b>\$920.00</b>           |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). |              |              |           |                                     | \$0.00                    |
| <b>TOTAL NATIONAL FEE =</b>  |              |              |           |                                     | <b>\$920.00</b>           |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).                                |              |              |           | <input checked="" type="checkbox"/> | \$40.00                   |
| <b>TOTAL FEES ENCLOSED =</b>   |              |              |           |                                     | <b>\$960.00</b>           |
|  |              |              |           |                                     | Amount to be: refunded \$ |
|  |              |              |           |                                     | charged \$                |

|   |   |
|---|---|
| <p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$960.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0238</u></p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> | <p>SIGNATURE _____</p> <p><b>ADAM C. VOLENTINE</b></p> <p>NAME _____</p> <p><b>33,289</b></p> <p>REGISTRATION NUMBER _____</p> <p><b>SEPTEMBER 10, 2004</b></p> <p>DATE _____</p> |
|---|---|

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

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